

FILED
8/10/22 12:21 pm
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U.S. BANKRUPTCY
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Case No. 21-20162-GLT
	:	
KATHLEEN PLUMMER,	:	Chapter 7
	:	
<i>Debtor.</i>	:	Related to Dkt. No. 115
	:	

ORDER

This matter came before the Court upon an *Order to Show Cause* [Dkt. No. 115] issued against the Debtor, Kathleen Plummer, requiring her to personally appear at a hearing on August 9, 2022 to show cause as to why she should not be held in contempt of Court for failing to cooperate with the chapter 7 trustee. In particular, Ms. Plummer repeatedly failed to respond to inquiries from the trustee or her real estate broker to arrange for a site visit of her two properties. The trustee required access to the properties to determine whether they could be liquidated for the benefit of creditors in this bankruptcy estate.

Ms. Plummer appeared at the hearing, acknowledged that she failed to contact the trustee's broker, and was otherwise non-response to the trustee. She also offered no justifiable excuse for her actions, asking only for "more time" to work through her issues. Given that the Court afforded Ms. Plummer ample opportunities to re-finance or liquidate the properties on her own, the Court finds her current pleas for additional time to be unavailing. In addition, further delays are extremely prejudicial to the estate, as evidenced by the apparent demolition of the 18th Street property by the City of Pittsburgh since the Court's last hearing on this matter. In light of her perpetual disregard of the Court's orders and directives, the failure of any meaningful progress in the administration of this bankruptcy case, and Ms. Plummer's failed promises, the Court cannot tolerate any further non-compliance.

Based on the foregoing and for the reasons stated on the record, it is hereby

ORDERED, ADJUDGED, and DECREED that:

1. Due to her failure to (i) cooperate with the chapter 7 trustee; (ii) contact the chapter 7 trustee's broker as previously directed; and (iii) effectuate the surrender of her property as required under § 521(a) of the Bankruptcy Code, the Debtor is hereby **held in contempt of Court. Ms. Plummer is hereby SANCTIONED in the amount of \$50 per day** until such a time as she has purged herself of her contempt by providing the chapter 7 trustee's professionals with access to her properties.

2. To afford Ms. Plummer one final opportunity to arrange for a property inspection, this finding of contempt is suspended until **August 15, 2022**. During the suspension period, Ms. Plummer shall immediately contact the chapter 7 trustee's broker, and promptly provide him with access to the property at a time of his convenience.

3. On or before **August 12, 2022**, the chapter 7 trustee shall file a status report indicating whether Ms. Plummer has complied with the requirement of ¶ (2). If Ms. Plummer fails to comply with the requirements of ¶ (2), the monetary sanctions against her shall begin to accrue starting August 15, 2022.

4. If necessary, the chapter 7 trustee shall file a status report indicating whether the Debtor has purged her contempt by **August 22, 2022**.

5. If Ms. Plummer remains in contempt of this Court on August 22, 2022, the Court may grant the trustee's request to dismiss the case with prejudice (including a filing bar restricting future bankruptcy petitions), without further notice or hearing.

6. The *Trustee's Motion to Dismiss Case for Abuse* [Dkt. No. 106] is continued to **August 25, 2022 at 10:30 a.m.** in Courtroom A, 54th Fl, U.S. Steel Tower, 600 Grant Street, Pittsburgh, Pennsylvania.

Dated: August 10, 2022



GREGORY L. TADDONIO^{ms}
UNITED STATES BANKRUPTCY JUDGE

Case administrator to mail to:
Debtor

In re:
Kathleen M. Plummer
Debtor

Case No. 21-20162-GLT
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Aug 10, 2022

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 12, 2022:

Recip ID	Recipient Name and Address
db	+ Kathleen M. Plummer, 121 Pius St., Pittsburgh, PA 15203-1618

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 12, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 10, 2022 at the address(es) listed below:

Name	Email Address
Bradley Joseph Osborne	on behalf of Creditor Towd Point Mortgage Trust 2016-4 U.S. Bank National Association as Indenture Trustee c/o Select Portfolio Servicing, Inc. bosborne@hoflawgroup.com, ckohn@hoflawgroup.com
Brian Nicholas	on behalf of Creditor Community Loan Servicing LLC bnicholas@kmlawgroup.com
Jeffrey R. Hunt	on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com
Karina Velter	on behalf of Creditor Towd Point Mortgage Trust 2016-4 U.S. Bank National Association as Indenture Trustee c/o Select Portfolio Servicing, Inc. kvelter@hoflawgroup.com, ckohn@hoflawgroup.com
Kenneth Steidl	on behalf of Debtor Kathleen M. Plummer julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;rlager@st

District/off: 0315-2

User: auto

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Date Rcvd: Aug 10, 2022

Form ID: pdf900

Total Noticed: 1

eidl-steinberg.com;leslie.nebel@steidl-steinberg.com;jseech@steidl-steinberg.com

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Natalie Lutz Cardello

on behalf of Trustee Natalie Lutz Cardello ncardiello@cardiello-law.com ncardiello@ecf.axosfs.com

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Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

TOTAL: 9